

REMARKS

Claims 1-32 have been canceled. New claims 33-56 have been added in order to avoid confusion regarding numbering of claims. It is submitted that there are no new matter incorporated in these amendments. Claims 33-56 have been presented to the Examiner at the interview conducted on February 15, 2005. At the interview, Applicants argued that there is no motivation to combine the teaching of Asai with Osornio and arrive at the present invention. More particularly, Asai is directed to preparing water swellable materials and radiation cure processes for preparing such swellable materials, e.g., a substrate impregnated with or having a coating of a mixture of radiation polymerized compound and a water swellable compound. Note col. 2, lines 30-33. Several polymers are disclosed such as cationically polymerizable systems, e.g., vinyl ether or epoxy functional materials with hydroxyl functional reactants. Other polymers include crosslinked polyacrylates, copolymers or terpolymers of acrylic acid, crosslinked polyethylene oxides, polyvinyl alcohols, crosslinked polyethylene oxides, polyvinyl alcohol, polyvinyl ethers and related co- and ter-polymers, polymaleic anhydrides and copolymers. Moreover, these polymers are combined with photoinitiator, surfactants, blowing agents such as metal carbonates and bicarbonates with or without organic/inorganic acid, adhesion promoter or tackifying resin. Note Tables 1-2. Other polymers are added and a listing of a multitude of these polymers are on col. 7, lines 21-46. Bases, solvents, salts, fibers, fine particles and fillers are also added. The resulting composition are polymerized and cured. From the preceding discussion of Asai, it is submitted that there is no motivation or suggestion to incorporate the embodiments of Asai in the presently claimed invention.

Accordingly, Applicants request the withdrawal of the rejection of claims 1-8 as being unpatentable over Osornio in view of Asai.

Claims 1-8 have been rejected under 35 USC 112 as being indefinite. It is submitted that the amendment of the claims render the rejection moot. The withdrawal of the rejection is respectfully requested.

Claims 1-8 have been rejected under 35 USC 103 as being unpatentable over Osornio et al. in view of Asai et al

The present invention is directed to an overhead or underground telephone lead-in cable for transmission services (VVDL) which includes a moisture absorbing swelling material impregnated on two insulated conductors. Moreover, the distribution of the film

of the swelling material is applied electrostatically such that it is controlled in a quantity proportional to the required thickness of the film. There is no disclosure or suggestion in Osornio regarding a moisture absorbing swellable material.

Asai is directed to a water swellable materials and radiation cure processes for their preparation. In particular it is concerned with the use of such materials and processes for the preparation of water absorbent or water blocking coatings in a rapid continuous process. It further discloses a multitude of polymers as discussed above.

It is submitted that there is no motivation or suggestion in the prior art to pick and choose a specific polymer from a multitude of polymers and particularly use it for the purpose of preparing the cables of the present invention. In re Ahlbrecht, 435 F.2d 908, 911, 168 USPQ 293, 296 (CCPA 1971).

Applicants request the withdrawal of the rejection of the claims 1-8 as being unpatentable over Osornio et al. in view of Asai et al.


In view of the above remarks, it is respectfully submitted that the claims are in condition for examination. In the event that there are any problems which can be expedited by telephone conference, the Examiner is invited to telephone the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,
LAW OFFICE OF CARMEN PILI EKSTROM

Enclosures:

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